



# **CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT**

**December 14, 2018**

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## **OPERATIONS BRANCH**

### **Status Report and Work Activities**

#### **Enforcement Section**

##### **1. CVFPB Enforcement Program**

Staff continues to process encroachment cases by Notices to Comply (NTC) or Notices of Violation (NOV). Status (since last month's report):

- Case being investigated for appropriate action: 71
- NTC/NOV being drafted for management review: 10
- NTC/NOV currently under management review: 5
- NTC/NOV mailed to landowner/responsible party: 2
- Working with landowner/responsible party to resolve encroachment issue (new and continued cases): 18
- Based on enforcement case, permit applications received: 0
- Cease & Desist Order being prepared: 4
- Cease & Desist Order mailed/ Board meeting scheduled: 0
- Notice to Proceed issued: 0
- Enforcement cases closed: 1

##### **2. Local Maintaining Agency Coordination**

Staff continues to coordinate with Local Maintaining Agencies (LMA) as more elect to participate in U.S. Army Corps of Engineers (USACE) System-Wide Improvement Framework (SWIF) program to regain eligibility for the Public Law (PL) 84-99 Program. A Letter of Intent (LOI) prepared by the LMA precedes the SWIF reports. Because USACE evaluates federal levees by system, it is possible for multiple LMAs to participate in the SWIF program together if their levees are part of the same system.

- **SWIF reports**
  - No new updates this month.
- **LOI reports**
  - No new updates this month.

### **3. PL 84-99 Rehabilitation Assistance Status**

LMAs that are active in the federal Public Law 84-99 Rehabilitation Program (PL 84-99) may request repair of flood risk reduction projects that were damaged due to flooding between January and March 2017. Rehabilitation assistance is being provided by USACE only when work is economically justifiable, the damage was sustained during the 2017 flood events, and the estimated cost of repairs is over \$15,000.

- All 7 repair sites for 2018 have been completed as of November 30, 2018.
- Of the 25 repair sites for 2019:
  - 8 are scheduled for the first quarter
  - 5 are scheduled for the second quarter
  - 12 are scheduled for the third and fourth quarter
- CVFPB staff continues to participate in weekly PL 84-99 coordination calls with USACE and the Department of Water Resources (DWR).

### **4. 2017 Storm Damage DWR Rehabilitation**

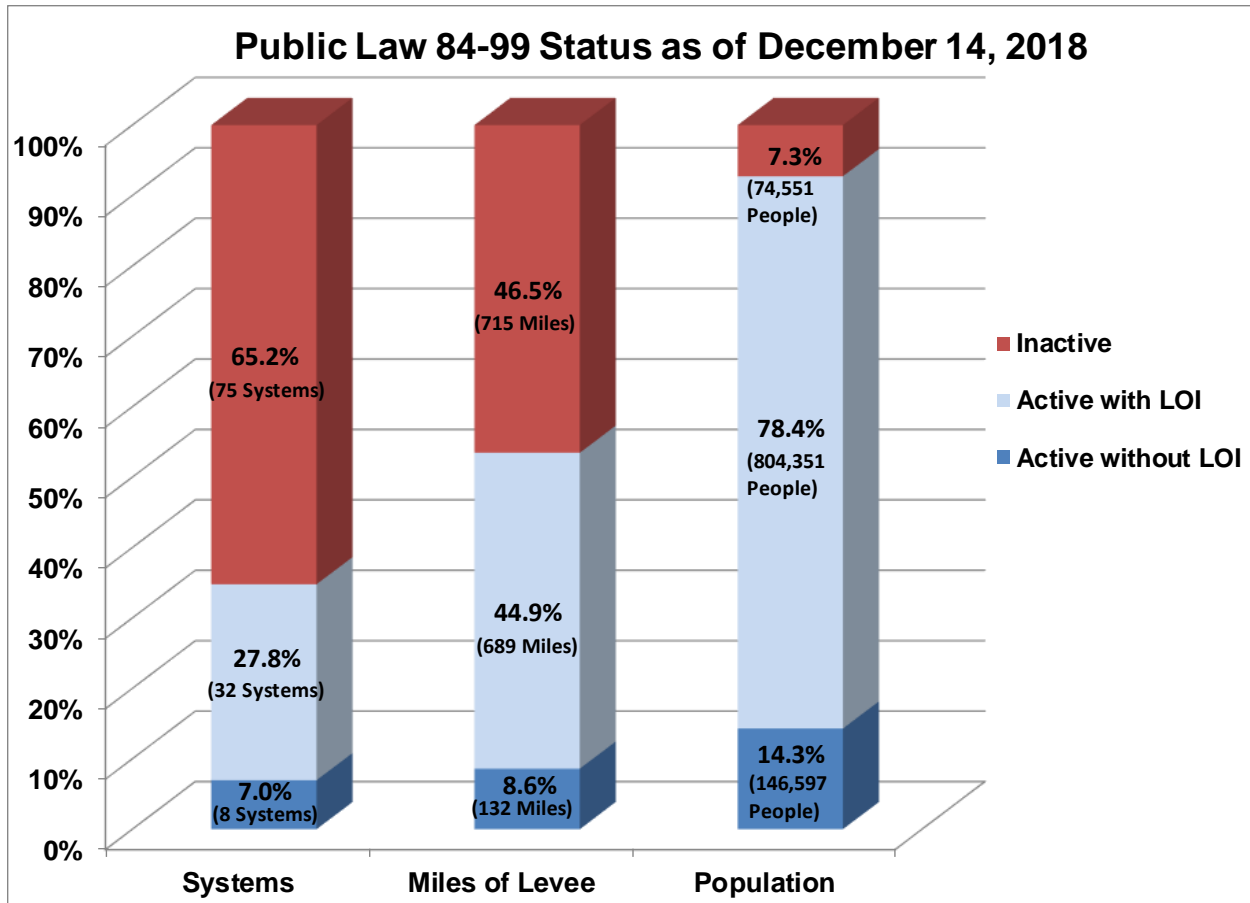
DWR is prioritizing identified damage sites that have not been approved by USACE because the damage site(s) or the levee system does not meet USACE criteria. CVFPB staff is assisting with site inspections and priority review.

- No new updates this month.

### **5. PL 84-99 Levee System Status**

The data and chart below represent the most updated information about PL 84-99 Program eligibility as of December 14, 2018:

- Systems: 65.2% Inactive, 7.0% Active w/ out Letter of Intent (LOI), 27.8% Active w/ LOI
- Levee Miles: 46.5% Inactive, 8.6% Active w/ out LOI, 44.9% Active w/ LOI
- Population (urban): 7.3% Inactive, 14.3% Active w/ out LOI, 78.4% Active w/ LOI



## 6. Staff News

Elizabeth Oliphint started work on November 30, 2018 as the new Staff Services Analyst for the Operations Branch. Elizabeth was employed with the Board previously as a student youth aid. A tentative job offer has been made for the Enforcement Section Chief and is pending HR approval.

## Permitting Section

### 1. Coordination Meetings

CVFPB staff participates in monthly coordination meetings with DWR's Inspection Section and the USACE Flood Protection and Navigation Section (Section 408). The meetings focus on USACE inspections/re-inspections/levee screenings and CVFPB encroachment updates. DWR inspectors bring on-the-ground insight to the discussion. A brief overview of the items related to the Permitting Section are

presented below.

- USACE Section 408 staff informed the group that there will be an ongoing effort to develop Levee Risk Management Studies for the flood control system. These studies will be done concurrently with future levee inspections and they will identify the specific flood risk drivers for that area (e.g. seepage, erosion, etc.) so that the LMA can use this information to help prioritize the work that will have the biggest impact on reducing the flood risk in that area. It is anticipated that the first such study will commence in about six months and will involve Reclamation District No. 1500.
- The flap gates purchased by DWR for Putah Creek and Willow Slough through the Deferred Maintenance Project (DMP) are expected to arrive beginning in January. Once received DWR will begin with the rehabilitation of the pipes, approximately 20, in the Willow Slough area first starting at the upstream end and working their way downstream.

## **2. Outreach**

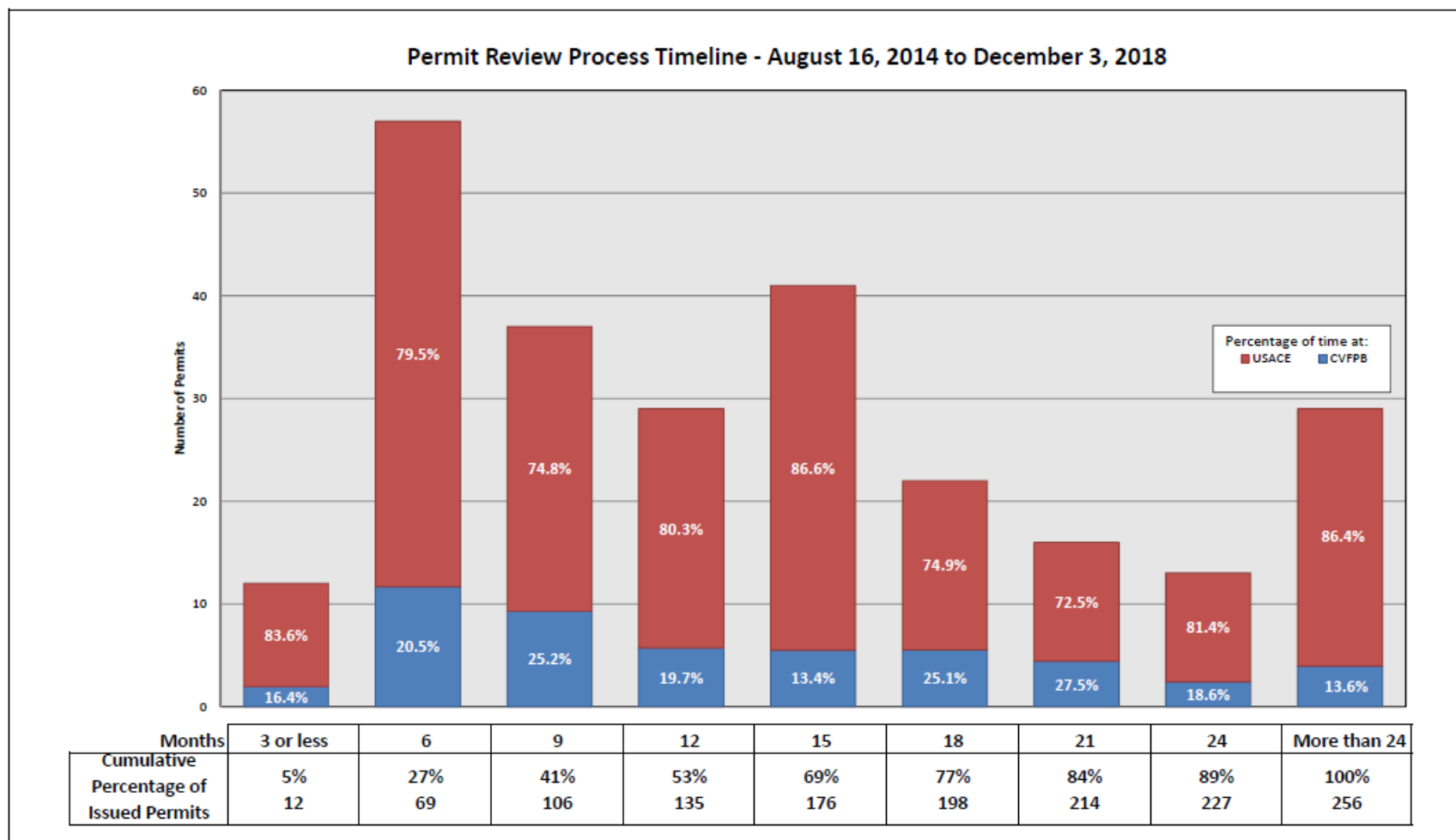
- CVFPB staff is continuing monthly coordination with the Sacramento Area Flood Control Agency in preparation for the Sacramento River East Levee slurry wall project which is scheduled to begin next year.

## **3. Staff News**

- Mr. Sungho Lee, Board staff since 2009, accepted a hydraulic modeling position with Caltrans' District 3 in Marysville. Mr. Lee's last day with the Board was on November 15th.

#### 4. Permitting Status Overview

The following chart shows the average percentages of the total time an issued permit spends in review at the CVFPB and the USACE after the federal regulations changed on July 31, 2014.



The table below provides a status breakdown for all Executive Officer Delegated Permits from January 2018 through December 2018. The numbers in this table reflect how many permits were posted to the CVFPB website, issued, etc. in each month.

Table 2: Executive Officer Delegated Permit Status

Month	Posted	Issued	With Enforcement	With Applicant	With USACE
January 2018	2	2	0	0	0
February	8	6	1	0	1
March	3	3	0	0	0
April	3	2	0	0	1
May	1	1	0	0	0
June	2	2	0	0	0
July	4	2	0	0	2
August	12	8	0	0	4
September	9	4	0	0	5
October	4	0	0	0	4
November	3	0	0	0	3
December	10	0	0	0	10
Totals	61	30	1	0	30

Additional information about Executive Officer Delegated Permits can be viewed on the CVFPB website@: <http://cvfpb.ca.gov/permitting/delegated-permits/>  
 Spreadsheets for each month provide descriptive information about the proposed project and the CEQA findings.

## **Inspection Section**

### **1. Section News**

- On November 26, 2018, the inspectors were activated by DWR's Flood Operations Center to respond to the Camp Wildfire in Paradise, California. The inspectors are directing California Conservation Corps crews to construct best management practices to reduce hillside erosion and help prevent contaminants from reaching local streams. The work is weather and site access dependent. The current activation period is November 26-December 8, 2018.
- The section chief completed mandatory 80-hour supervisory training on November 15<sup>th</sup>. Training included performance management, budget processes, the state hiring process, Equal Employment Opportunity Act responsibilities, sexual harassment training for supervisors, and other required training courses over a four-month period.

### **2. Permit and Inspection Fee Implementation**

- After approval by Board members at the November 16<sup>th</sup> Board meeting, staff submitted the Economic and Fiscal Impact Statement and supporting materials to the Department of Finance for review and concurrence. If no significant comments are received, the rulemaking package will be sent to Office of Administrative law for final review and submittal to the Secretary of State to be codified in the California Code of Regulations.
- Preston Shopbell presented the permit and inspection fee regulations to the Coordinating Committee on November 28, 2018. Comments and suggestions on how to best implement the fee program were received from local agency representatives and will be taken into account when initiating the program in the Spring/Summer of 2019.